GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

TWD – LTR – East Godavari District - Revision Petition filed by Smt Miriyala Sridevi W/o.Yedukondalu R/o.Tantikonda (V), Devipatnam (M), East Godavari District before the Government against the orders of the Additional Agent to Government, Rampachodavaram in CMA No.56/05 dt.17.9.2005 in which the lands admeasuring Ac.0.79 cts covered in R.S.No.221/2 and Ac.0.66 cts covered in R.S.No.225/3 (total extent Ac.1.45) of Pedabeempalli (V) of Devipatnam (M), East Godavari District – Dismissed - Orders – Issued.

SOCIAL WELFARE (TW.LTR-2) DEPARTMENT

G.O.MS.No. 75 **Dated: 05-06-2018**
Read the following:-

1. Revision Petition filed by Smt Miriyala Sridevi W/o.Yedukondalu R/o.Tantikonda (V), Devipatnam (M), East Godavari District Dated: 31.10.2005.
2. Govt.Memo.No.9327/LTR-2/2005-1, dated: 17.12.2005.
3. From the Additional Agent to Government & Project Officer, ITDA, Rampachodavaram, East Godavari District Ref.CMA/56/2005, dt.04.01.2013.
4. Govt. Lr.No.9327/LTR-2/2005, dated:19.03.2018.

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ORDER:

In the 1st read above, Smt Miriyala Sridevi (Died) B.Venkatagiri (Legal Heir) W/o.Venkateswara Rao R/o.Krishnampalem (V), Gokavaram (M), East Godavari District has filed Revision Petition before the Government against the orders of the Additional Agent to Government, Rampachodavaram in CMA No.56/05 dt.17.9.2005 in respect of the lands admeasuring Ac.0.79 cts covered in R.S.No.221/2 and Ac.0.66 cts covered in R.S.No.225/3 (total extent Ac.1.45) of Pedabeempalli (V) of Devipatnam (M), East Godavari District.

2. In the reference 2nd read above, the Collector, East Godavari District, Kakinada was requested to send parawise remarks on Revision Petition and connected original records to Government immediately so as to dispose of Revision Petition.

3. The Additional Agent to Government & Project Officer, ITDA, Rampachodavaram, East Godavari District has furnished parawise remarks and connected records vide reference 3rd read above.

4. In the reference 4th read above, the petitioners were called for the hearing along with the written arguments and record. The case has been heard on 07.04.2018. During the course of hearing of the case that the revision petitioner failed to advance her arguments and as the case is long pending case it is treated as heard and ordered for judgment on merits basing on the material available on record.

5. On verification of the grounds in revision petition, the documents and the grounds of revision and Para wise remarks as well as the other documents and material available on the record it is noticed that lower authority observed that the revision petitioners failed to produce any document in support of their claim of possession of the land prior to the coming into force of the regulations and also failed adduce any proof over the land being in their possession prior to regulations.

6. The contention of revision petitioners that the land legally purchased in the year 1969 under agreement of sale for valuable consideration and she is in possession and enjoyment of the same and the regular sale deed of the year 1974

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and there is no violation of regulations. The unregistered agreement of sale cannot be taken into account while examining the nature of rights under regulations as such as the sale deed of the year 1974 clearly reveals violation of regulations as per its recitals itself which is between non tribal parties.

7. It is observed apart from the above that as seen from the record that the revision petitioner failed to produce any document in support of her case and failed to discharge her burden as per regulations.

8. That taking consideration of the above and the material available on the record that it can be concluded that the lower authority and the appellant authority passed the order as per law which does not deserve any interference and accordingly the same is hereby upheld.

9. In view of the above, Government hereby dismisses the Revision Petition.

10. The Collector & District Magistrate, East Godavari District, Kakinada/Additional Agent to Government cum Project Officer, ITDA, Rampachodavaram, East Godavari District is requested to take necessary action in the matter accordingly and acknowledge the receipt of the case records which are returned herewith.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.S.RAWAT
PRINCIPAL SECRETARY TO GOVERNMENT(TW)

To
The District Collector, East Godavari District, Kakinada.
The Additional Agent to Government & Project Officer, ITDA, Rampachodavaram, East Godavari District (w.e)
The Special Deputy Collector (TW), Rampachodavaram, East Godavari District.
Smt Miriyala Sridevi (Died) B.Venkata Giri, (Legal Heir), W/o.Venkateswara Rao R/o.Krishnampalem (V), Gokavaram (M), East Godavari District
Copy to:
Sri Kola Satyaprasad, Advocate, Rampachodavaram, East Godavari District.
The P.S. to Hon'ble Minister (SWE & TWE)
The P.S. to Principal Secretary (TW)
Sf/Sc

//FORWARDED:: BY ORDER //

SECTION OFFICER